

Town of Milton
Town Council Meeting Minutes
June 2, 2003

6:30 to 7:07 p.m. WORKSHOP – TOWN COUNCIL – COMPREHENSIVE PLAN

Ann Marie Townsend of State Planning was present. There was discussion regarding the Comprehensive Plan as presented to the State Planning Office. It was decided that Ann Marie would “polish” the areas of sewer and annexation. Then we will see if the State is then in agreement; if so, it will then be submitted back to Town Council for a public hearing.

7:17 to 7:41 p.m. OPEN FLOOR:

1. Donna Gordon of 303 Chestnut Street voiced concerns with policing methods.
2. Gary Cooke of 419 Chestnut Street spoke in support of the Police Department.
3. Charles Brinkman of 205 Mill Street spoke in support of the Police Department.
4. Kelly Cannon of 531 Union Street spoke in support of the Police Department.
5. Barbara Brewer of 304 Federal Street spoke in support of the Police Department.
6. Rebecca Burns of 332 Bay Court spoke in support of the Police Department.
7. Susan Suthard of 202 Federal Street agreed with those supporting the Police Department.
8. Ed Harris of 305 Behringer Avenue spoke in support of the Police Department.
9. Bob Blayney of 210 Chandler Street spoke in support of the Police Department.
10. Hattie Bull of 524 Mulberry Street spoke with concerns regarding ownership of the lot next to her (Orchard Street). She also advised Council that she was denied a business license from the Code Enforcer for a retail store at her home. She asked why? (Mr. Evans to provide Mrs. Bull with pertinent information and explanation.)

Mayor John F. Bushey called the meeting to order at 7:43 p.m. at the Fire Hall on Front Street.

Councilwoman Betts offered the opening prayer.

Mayor Bushey called the roll.

PRESENT: Mayor John Bushey
Councilman Charles Fleetwood
Councilwoman Leah Betts
Councilwoman Ronda Melson
Councilwoman Stephanie Parker
Councilman Jerry Hudson
Councilman William Wright

Others Present: Jocelyn Jenkins, Town Clerk
Eric Evans, Code Enforcer
Stephanie Coulbourne, Finance Clerk
Dawn Johnson, Administrative Assistant

William Phillips, Chief of Police
Officer Cornwell
Officer Thomas
Officer Melvin
Officer Torres
Allen Atkins, Town Maintenance
Robin Davis, Maintenance Dept.
Bob Kerr, Engineer
Tim Willard, Town Attorney

Presentation and Approval of Minutes

Councilman Fleetwood made a **motion** to approve the minutes of the May 5, 2003 regular meeting, seconded by Councilwoman Parker.

Councilman Hudson asked a question about the generator. Councilman Wright stated that he is working on it.

The question was called on the motion.

Motion carried – “Aye”

Approval of Treasurer’s Report

Councilman Wright made a **motion** to approve the treasurer’s report, seconded by Councilwoman Betts.

Motion carried – “Aye”

Presentation and Approval of Monthly Bills

Councilman Fleetwood made a **motion** to pay the monthly bills as money becomes available, seconded by Councilman Wright.

Motion carried – “Aye”

Committee Reports

Sewer & Water Committee – Councilwoman Melson

Nothing to report.

Streets & Sidewalks Committee – Councilman Wright

Councilman Wright reported that the Committee met on May 22. He gave a copy of the Cannery Village proposal to members of Council. The Committee recommends not accepting it as written. He suggested a meeting with complete Council to discuss it.

Regarding Frederick Street, we advertised for bids; none received. We then contacted three contractors. The high bid was \$3,000 and the low was \$1,475. The consensus was to okay the lowest one.

Mr. Wright discussed sidewalks on Bay and Atlantic Avenues. He thinks they are needed. There are kids going to the ball park and elderly going to Park Royal and Luther Towers. It is a dangerous situation. He suggested doing a block or section at a time. Sidewalks and curbing are going to cost around \$120,000.

With regard to sidewalks needing repair, Eric is sending letters so we can get the sidewalks up to par. They are also looking at handicap accessible curbs through Town.

The flapper valve on Magnolia Street has been replaced to prevent flooding. If that doesn't work, other alternatives will be looked at.

We are looking at the possibility of getting some dirt from the library and putting it at Front Street to stop the water.

Ordinance Revision – Mayor Bushey

Mr. Evans noted that Chapter 17, Subdivision has been submitted to the State for LUPA review. The paragraph from tonight will also be added.

Personnel Committee – Councilwoman Parker

Councilwoman Parker noted that an Executive Session will be necessary later this evening.

Pension Committee – Councilwoman Betts

Councilwoman Betts reported that there will be a pension meeting on the morning of June 3.

Parks & Recreation Committee – Councilman Fleetwood

Councilman Fleetwood reported that the first concert in the park will be June 4. If it rains, the concert will be held in the Fire Department.

He also reported that the landscaping in the “garden staging area” looks a mess right now at Mill Alley. He has someone willing to donate some money. He wanted to bring it up to Council before he contacts DeVilbiss for a design to present. Town Council thinks it is a good idea.

He also mentioned that 2007 is the Town's 200 year anniversary. (A Committee will be appointed.....)

Economic Development Committee – Councilman Fleetwood

Councilman Fleetwood reported that there was a story in the News Journal “Discovering Delaware” about a proposed “amphitheater”.

Planning & Zoning Committee – Linda Rogers

Linda Rogers reported that the Committee is working on the Zoning Ordinance.

Risk Management Committee – Councilman Fleetwood
Nothing to report.

Milton Development Corporation – Councilwoman Betts
Councilwoman Betts reported that they will be having a comedy fundraiser June 13 and 14.

Board of Adjustment – John Collier
Mr. Collier reported that regarding the May 27 meeting, the Board recommends that the Jennings fee be refunded. It was brought before the Board of Adjustment by mistake.

Written Reports

Maintenance Report

Councilman Fleetwood made a **motion** to approve the maintenance report as written, seconded by Councilwoman Parker.

Motion carried – “Aye”

Councilman Fleetwood asked if the electric in the park is okay? Mr. Atkins will check it.

Mr. Atkins noted that the Department will move the dirt piled up when they have some time.

Code Enforcer Report

Councilman Hudson made a **motion** to approve the Code Enforcer’s Report, seconded by Councilman Wright.

Motion carried – “Aye”

With regard to the building permit fees and requirements, the Ordinance Committee will meet and discuss.

Police

Councilman Fleetwood made a **motion** to approve the report of the Police Department, seconded by Councilman Wright.

Chief Phillips noted that from June 12 to September 1, the Department has received an “Aggressive Driving” grant. The grant states zero tolerance.

He also reported that two (2) officers attended the bicycle training class in Rehoboth this past week. He also stated that he will be contacting DelDOT regarding signs. Signs will be replaced to help the public better understand the speed limit.

Chief will be taking the GMC Jimmy to Wilson’s Auction on Tuesday.

Motion carried – “Aye”

Town Clerk

Councilman Fleetwood made a **motion** to approve the Town Clerk's report, seconded by Councilman Wright.

Mayor Bushey asked Mrs. Jenkins about the newsletter. Mrs. Jenkins stated that it will be sent out as soon as she has the water report. She will also be including a concert schedule.

Motion carried – "Aye"

Correspondence

1. Veterans Affairs – Flag Retiring Ceremony on June 14, 2003 at 10:30 a.m.;
2. Milton Fire Department – Women's Golf Tournament requesting \$100 to sponsor a hole;
3. Neva Baker – requesting that parking on one side of Chestnut be considered (referred to Street Committee);
4. Milton Fire Department – requesting more money for use of the upstairs (to be addressed under New Business)
5. CDBG – extending the grant (ok)
6. Lewes Church of Christ – thanking the Town for use of Park; stating they have paid/arranged to have the port-a-potty stay in the Park for the remainder of the month.
7. Jack & Rosemary Clark – in support of the Police Department
8. Karen Lange – in support of the Police Department
9. Felicia Cannon – in support of the Police Department

Old Business

Dogfish Head Brewery Update

Kevin Burdette and Sam Calagione were present. Mr. Calagione and Mr. Burdette agreed to monitor and log the ph/BOD levels two times a day.

Mr. Atkins will also sample regularly so we have a record of what is happening.

Mr. Burdette and Mr. Calagione will be back at the next meeting.

Mr. Burdette stated that communication is the biggest hurdle to ensure that the system works for not just the next 30 days, but for the next 30 years.

Comprehensive Plan

Ann Marie was here tonight. The changes discussed will be made and she will come back to another meeting.

Award Bid for Centrifuge

Bob Kerr reported that we received two (2) bids for the centrifuge. The low bid was from Centrisys Corporation in the amount of \$182,000. He noted that the bid included

something that was not required, so the bid amount could go down. We need DNREC approval to move forward. He would recommend a tentative award subject to DNREC approval and the bid price being worked out.

Councilman Hudson noted that we are still paying CDI to haul the sludge. This is not in the budget. The longer we wait to implement the centrifuge, the more in the hole we are.

Councilman Hudson made a **motion** to grant the bid contingent on what Bob Kerr said. The motion was seconded by Councilman Fleetwood.

Motion carried – “Aye”

New Business

Establishment of Finance Committee

Mayor Bushey recommended that Denny Hughes, Richard Greig, Herbert Dutt, and Gene Dvornick be appointed to the Finance Committee.

Councilman Fleetwood thinks it is a good idea.

Councilwoman Parker noted that this Committee would have no decision making power.

Councilman Hudson made a **motion** to accept the recommendation, seconded by Councilwoman Melson.

Motion carried – “Aye”

Presentation of Audit

Tom Sombar presented the Audit. He noted that there are positive things going on financially with the Town.

Councilman Fleetwood made a **motion** to accept the audit as presented. Councilwoman Parker seconded the motion.

Motion carried – “Aye”

Delaware Stormwater Management – Randy Greer

Power Point Presentation regarding stormwater management.

Request from Bernard Miller for Sidewalk/Curbing Waiver at Bay & Cedar

Mr. Miller was present. He noted his reasons for the request. This item was discussed by Council.

Councilwoman Parker made a ***motion*** to grant the waiver with the condition that if we put sidewalks in on Bay Avenue in the future, Mr. Miller (or property owner) would be required to do so then. Councilman Hudson seconded the motion.

Motion carried – “Aye”

Library Fee Waiver

The library has requested a waiver of permit fees.

Councilman Fleetwood made a ***motion***, seconded by Councilman Wright to waive the fees as requested.

Motion carried – “Aye”

Donation to Fire Department

This item was considered in order to help defray the Fire Department’s electric bill in the summer.

Denny Hughes (Fire Department Treasurer) and Charlie Fleetwood (Town Council Treasurer) will meet to discuss this item further.

Donation to Fire Department for Golf Tournament

There was discussion regarding this item. It was decided that we should get more information and discuss the details at the next meeting.

Orchard Street Extended

This was brought up by Mrs. Bull during Open Floor. Mayor Bushey suggested that we get our Attorney involved.

Councilman Wright made a ***motion*** to turn this matter over to the Town Attorney to get it resolved, seconded by Councilwoman Parker.

Motion carried – “Aye”

Business License for Retail at 524 Mulberry Street

Mr. Evans noted that Mrs. Bull would have to apply for a change of zone or conditional use because her property is zoned residential.

Special Meeting Requested by Cannery Village

This meeting was scheduled for Thursday, June 19, 2003 at 7:00 p.m. at Town Hall.

Property Tax Appeals

There were no appeals filed.

Board of Adjustment Refund

Councilman Wright made a **motion** to approve the refund of Mr. Jennings' money, as recommended by Chairman of the Board of Adjustment. The motion was seconded by Councilman Fleetwood.

Motion carried – “Aye”

Councilwoman Parker asked that the Ordinance Committee look at Chapter 6 regarding Massage Businesses. It seems like it needs to be updated.

Executive Session

Councilman Fleetwood made a **motion** to go into Executive Session, seconded by Councilwoman Parker.

Motion carried – “Aye”

Council went into Executive Session at 9:50 p.m.

Respectfully submitted,

Dawn Johnson
Administrative Assistant

dmbj:6/30/03